privad them of the influence legiti-mately pertaining to their high call-ing. I think I am not too sanguine in believing that where there is an unselfish and patriotic object to be accomplished, in which the public at large are as much interested as the parties are quite as well prepared large are as much interested as the parties are quite as well propared lawyer, in matters of legal reform, if for trial the first term as ever there be unity of setton, since rity of afterward, and usually bett represent. purpose, and bo dress in the main-icasace of what is advorated, the in-demurrer, evidently flor for delay, be fenence of what is advorated, the in-fluence for good, of which this and attention, I now, as your presiding officer, swall your further pleasure.

Committe of five. Adopted, then read his annual report as follows: REPORT OF SECRETARY AND TREASURER. To the Officers and Members of the Bar Asso-

As recret ry I respectfully report that the proceedings of our late meeting were, noder the direction of our Committee on Publication, published in pamphlet form and distributed

among the members. As treasurer I report as follows: Balance on hand July 1, 1885, as per last Dues and admission fees received

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membera..... 1,065 00 Disbursed on account of the

assiciation Buance on hand ... I am prepared to submit to the Central Cource, as required by our by-laws, a derived are ement of receipts and expend tures, with proper vouchers for disturgements. Respect ally

J.W. BONNER.
Secretary and Treasurer.
The Hon the Month of the Honey and Treasurer.

The Hon. B. M. Estes, on behalf of the Central Committee, recommended for admission the following gentlemously elected: J. B. Heiskeil, F. H. Heiskell, W. A. Percy, jr. S. J. Shepperd, Josiah Pat'erson, C. F. Vance, J. H. Malone, J. B. R. b'mson, T. B. Edrington, J. J. Dupuy, M. M. Trezevant, John P. Houston, all of Memphis; J. C. McDearmon, John R. Walker, Logrand W. Jones, of Treaton; H. Parks, jr., Dyersburg; R. P. Whitseell, Union City; H. W. McCorry, Jackson; C. A. Ssinback, Somerville; N. W. Buptist, Covington; James N. W. Baptist, Covington; James Fentress, Bolivar; John J. West,

The Hov. A. M. Rose, of Little Rock, Ark, was unenimously elected an honorary member of the associa-

The report of the Comm't'ee on Judicial Procedure, was toen read by Xenophon Wheeler as follows:

REPORT OF JUDICIAL PROCEDUBE. To the President of the Bar Association of of Tennessee;

The Comm ttee on Judicial Adminministration and Remedial Procedure of last year, in their report made at our last annual meeting, recommended that the association declare itself in favor of ralie ing the Supreme Court

1. An assignment of errors as a condition of appeal from the Chan-2. A limita ion of the record to mat-

8. Printing of the record in all such The committee further recommend

uniformly named, and instead of call-ing the reports after the name of the reporter, that they should be styled the "Tennessee R ports" and num bered accordingly.

discussion the report of the committee was adopted, and the committee of the precent year was instructed to formuate the necessary legislation and present the same in the nature of bills. We have endeavored to comply with the duty thus imposed upon us, and we present the same as an appendix to this report. The proposed legislation, as will be seen, except as to changing the name of the reports, is designed to relieve, in part, the

COURT,

Your committee is of the opinion that the object in view can be further promoted by yet other changes of practice in the Supreme Court which will be here suggested, and that the delay in the trial of causes in the infailor courts can sho be greatly abridged, to the great advantage of lawyer and elient. Most of the changes suggested in this report your committee does not claim to have orlginated, but they must inevitably have suggested themselves to every practitioner in our courts, and mest of them were strongly urged upon the attention of the association, at our mesting in Nashville, in a most admirable paper prepared by Judge Andrews, of Knoxville, which, unfortunately, was not printed with the report of the proceedings of last year's meeting. In some of these p opcsed changes Judge Andrews was anticipated, in a paper prepared by Mr. W. S. Flippin, and read at our annual meeting of 1884, but which was also omitted in the report of that year. The changes herein proposed, and which your committee arge upon the consideration of the serociation, bave the great merit that they do not quire any amendment to the State Con-stitution. They are within the power

for the defendant to plead or demur. THE APPEARANCE TERM should in most cases be the trial term, as it is in the United States Courts, in some circuits, and, perhaps, all. If summors and copy of dec aration are served upon defendant twenty days before the first day of the term, the cause stands for trial at that term. We costs, which in such cases amount to would suggest that the State practice in this respect be made to conform to the Federal. The defendant's attorby the this practice will have ample to the this practice will have ample to the condition of the dockets of crowded conditions. ney by this practice will have ample time to carefully examine the declaration and determine whether to plead or demur. As it now is, the declaration comes to the hands of the defendant's at orney amid the turnoil and hurry of court, and he must determine to the pay for the delay, inconvenience and expense to which he has aubjusted the appeal as the next of 1827.

of the General Assembly to effect, and

a civil cause months perhaps before

filing a declaration, and two days more

absorbed by his duties in court. The

should be taxed not only with the kindred a s cations are pa'pable, can costs of the term, but all c with a rea-hardly be overest metad. Horing that somable attorner's fee to be paid the your deliberations may be harmoni-plaint fi's attorner. When it e files a your deliberations may be harmonious and productive of those beneficial plantiff's attorney. When I e files a pea or demurer let a copy be reved aims, and thanking you for yourk no aims, and thanking you for yourk no examination the latter consides the attention, I now, as your presiding demurer well taken, he will ordina i ly still have time to amend his declara-After the rading of the address had been cookinded Mr J C. B afford, of shville, moved its reference to a committee of five. Adopted.

your latter the rading of the address had been cookinded Mr J C. B afford, of such is filed be issued upon the cooking of the pleatings as each is filed be issued upon the cooking of the pleatings as each is filed be issued upon the cooking of the pleatings as each is filed be issued upon the cooking of the pleatings as each is filed be issued upon the cooking of the pleatings as each is filed be issued upon the cooking of the pleatings as each is filed be issued upon the cooking of the pleatings as each is filed be issued upon the cooking of the pleatings as each is filed be issued upon the cooking of the pleatings as each is filed be issued upon the cooking of the pleatings as each is filed be issued upon the cooking of the pleatings as each is filed be issued upon the cooking of the pleatings as each is filed be issued upon the cooking of the pleatings as each is filed be issued upon the cooking of the pleatings as each is filed be issued upon the cooking of the pleatings as each is filed be issued upon the cooking of the pleatings as each is filed be issued upon the cooking of the pleatings as each is filed be issued upon the cooking of the pleatings as each is filed by the cooking of the pleating of issue is reached. This procedure would being a cause to ir at occinerily four months somer than at present, and the case would be much better pre-

> pared. shou'd be prepared in vacation, not in term time, and with a view to the earliest possible termination of the issue between the par i-s, and any sttempt should be pun shed by the imposition of costs and a taxed attorney's fee.

2. There should be a limit to the prosecution of su'ts upon the psuper's oath. The policy of all owing su to to be brought at all upon the plintiff's taking the oath prescribed for poor persons is, to say the leas, questionable. It is diffi ult to see why the Sate is any more bound to furnish a poor man the luxury of a law-uit than a muint plow his corn. Indeed, the latter w uld be i ke y to be much more se viceable to him and to the State also than the former. It is beto prosecute suite a no costs whalever to them elv s s a dir ct incea ive to the instituti n of frivolous su ta, for admission, the following gentlemen, who were accordingly monni-men, who were accordingly monni-mously elected: J. B. Heiskeil, F. H. of the court to work for nothing and consuming agest deal of the valuable time of curs with suits that never ought to have been brought, and which never would have been brought if the paint is had be n compelled to assume some risks in bringing. Some restrict ons upon the institution of such suits should be

> JUDGE ANDREWS, in his paper streamy referred to, suggests that "The ett rney proposing to bring a suit in forma paupers should be required to ce tify up n honor that he has investigated the care and believes that the plan iff has a good cause of action and will be able to maintain his suit." Your committee greatly doubt: the efficacy of the remedy here proposed, but has no better one to suggest But in any case, if the plain if projecting his suit upon the pauter's oath is cast in the court below, he should not be allowed to projects an appeal to the supreme Court unless he gives a bind to secure the costs of such appeal, or unless the presiding judge shall cer ify that some question has arisen in the case which, in his opin on, the appellant should be permitted to carry the case to the Supreme Court without giving

3. The preparation of causes in the inferior courts would be hastened if with each pleading filed, the practice compelled the sito ney fi ing to serve a copy up in the a turney of the opposite party. This course would give each atterney an office cupy of the whole file, render it unn cessary to take files from the office of the clerk, greatly diminish the dauger of loss of likes and in case allowed and in the clerk of the state Legislature.

W. C. Caldwell, on behalf of the clerk files, and in case of loss render it easy to supply papers.

4. An immense number of suits

would never be instituted if the plain-After an uncommonly interesting tiff, in addition to the bond given to secure costs, was required to pay for the work done by the officers of the court for him as the suit progresses. There is no go d reason why the officers of the court should wait for years for pay for the work done on his behalf; and if he had to pay the money directly out of his pockets as his process issues he would be in a reflective state of mind. Under our present system he gives but little thought to the liabilities he is OTHECHOWDED DOCKETS OF THE SUPREME assuming, for pay day is away in the fu u.e. The result is that costs accuand, as your committee thinks, is admirably calculated, so far as it goes, to accomplish the end in view. Whether the Legislatura, in view of the prejudice hitherto manifested by it against any proposed innovation or reform in our civil procedure, can be induced to our civil procedure, can be induced to pay bis costs in the end, unless he pass these bils, or any of them, or any pass these bil's, or any of them, or any acceptable substitute for them, is a matter of very serious moment to the profession and the general public. he recovers the costs he has paid. John Randolph said be had found the philosopher's stone, and it was "pay as you go," and in nothing would the wisdom of the proverb be made more manifest than in the practice of litigants, es ecially the plaintiff, in pay-

ing the coats of a suit as they accrue.
5. There should be a restriction in the matter of appeals to the Supreme Court. The dockets of that court are cumbered with causes, a large portion of which involve insignificant pecu-niary amounts, and are carried up from the inferior courts, principally to indulge the passions of litigants. It would be i r bett r, in most cases, for the perty defeate. In the inferior court it he abjued the result in that court, even if he succeeds in reversing the judgment in the Appellate Court. These cases form a large proportion of the causes in the Supreme Court.

They not infrequent'y require quite as much of the time of the Court to hear and determine as causes involving large money smoun's and they overlead the dockets of the court and delay the hearing of causes of import-

We are of the opinion that the State practice in this re-pect should be made to correspond in degree with the Federa', and no appeal should be granted as a matter of right when the amount involved, exclusive of costs, is less than, ray \$250, but in such cases let appeals be allowed only by there can be no good reason given for the practice of issuing a summons in the term of court commences, waiting for the three first days of sourt before writs of error from the Supreme Cours. 6 A large percentage of the causes that go to the Supreme Court are arpeals from judgment; and decrees upon obligations for the payment of money, the appellants prosecuting appeals for delay only. Under our present practice, upon affirmance of the judgment in the Supreme Court the

costs, which in such cases amount to but little. the Supreme Court, a d lay of years

such cases that the appellant, in case change suggested would enable him to of affirmance, should pay interest at prepare hiple a or demurer at his the rate of 121 per cent. per annum, I-isure, and therefore there would and, in addition, he should be taxed a reaconable a torney's fee, to be paid the atorney of he appellee.

The law should offer no inducement to a debter to delay the payment of a

just obligation. 7. Intimately connected with the f reg ing is the effect of speeals from he infe ior to the Supreme Court. It quite common'y happens, as every lawyer knows, that while a judgment rend red by the injenor court could be collected, if an execution could issue at once, yet, before the case appealed can drag its alow length through the Supreme Court, the ap-pel ant has become insolvent. In this respect, also, the State practice should be made to conform to the Federal.

An appeal should operate as a super sadeas only, when the party appealing enters iato bond wi h two or more sure ties, to be approved by the p oper offi-cer, payable to the above party in double the amount of the judgment or decree, or double the value of the p round property recovered in the court below, conditioned for the prose-cution of the appear with effect, or in case of failure, for the payment or per-formance of the judgment or dec ee of the Saprame Court.

Many of the States of the Union have statutes containing provisions of this kind, and their provisions are made to cover certain classes of criminal cases

as well as civil. 8. All briefs in the Supreme Court should be printed. It is barbarous to require the judges of that court to consume most valuable time in pouring over the execrable handwriting of the gre t m j rity of awyers

A printed brief can, as a rule, be

read in one-outh the time a written one can, and a clearer understanding be ob sined of i s contents. The cost lieved that it rarely happens that a of printing is but a trifle, and no liti-person having a good cau each action good has any business to have a sult in is yet so ut eny fri ndle a teat he is the Supreme Court the importance of unable to give bood to secure costs. The present system of allowing people in incurring the on lay necessary to print his a torney's brief. Another advantage gained would be that briefs, as a rule, would be more carefully prepared if they were required to be printed.

If these recommendations, with those of our predecessors of last year, could become parts of the civil procedure of Tennessee by the necessary legislation, your committee is of the opinion that fewer judges would be required, the over crowded dockets would be cleared, lawyers would get their fees without years of weary waiting, the ends of good government would be subserved, and the "law's delay," which is the "law's reproach," would be in a good degree obvia'ed. All of which is respectfully submitted.

XEN. WHEELER, JAS. S. PILCHER, JAMES O. PIERCE. After discussion by Thomas L. Dodd, of Nashville, and the Hon. B. M. Estes, further amion on the report was

deferred until 8 o'clock p.m. The Committee on Legal had no report to make, but he Hou. Ruhm, of Knoxville, gave as smusing account of his experience; and cavoring to push through the L gislature a bill regulating admission to the bar. He suggested that the Bar Association could take up no more fruitful subject f legal study than the Tennessee Legislature. The arguments made against the passage of the bill were abourd, but they pravailed, and he assured his colleagues that they never would be able to form a complete idea of what a Tennessee L gislature is, exce. t by becoming members and a udying that remarkable body from the inside

Mr. Malone, of Memphis, adverted to the hopelessness of any endesvor

that the committee had no business to Mr. R F. Jackson read the report

COMMITTEE OR PUBLICATION as follows:

To the President of the Bar Association of Tennessee: Your Committee on Publication respectfully report that 500 copies of the proceedings of the last meeting of the association were published in pamphlet form at the cost of \$180 05, and distributed among the members der by the secretary. In addition to the above report we beg leave to submit

the following sugarstions:

1. That the proceedings of the asso ciation since its organization be published in book form for convenience of future reference and a more perfect preservation of the records of the association; and that a sufficient number of copies be published to furnish one to the State Library and one to the different State Bar Associations of the United States.

2. That the power of the Committee

on Publication, in deciding what papers read before the as oristion shall be published, be defined more clearly than is done in Section 4 of Article VIII of the bylaws, and to this end we recommend that a committee be appointed who shall formulate some ule for the gu dance of the Committee on Publication in the future, in determining what papers and how much of each, read before the Arsociation, shall be published and report at this re sion of the Association.

3. That those who read papers be-fore the association and afterwards have them published in any of the newspapers of the State, should soon rec'ed c py of the paper containing their article or address. This sugges-tion is called forth by reason of the fact that the manucripts of papers read before the association have in several instances in the past been lost or destroyed by the newspaper publishers, which, added to the failure cometimes on the part of the authors of said manuscripts to preserve a copy of the newspapers containing their stricles, has resulted in their papers being left out of the printed proceedings of the association. Respectfully submitted.

G. N. TILLMAN,
J. A. CARTWRIGHT,
S. R. CAMPBELL,
R. F. JACKSON,
J. W. CHILDRESS,
Com. on Publication.

The report was received and adopted with the provise that the expenditure suggested by the report must be limited to funds on hand.

committee to amount of compensation to be charged for professional services to minors and Hon. Jno. L. T. Sneed reported that their report will be presented today.

[For Further Proceedings See Fifth Page,] Chicago's Big Boom.

Chicago, Int., July 1.—The populanew drectory, which is just out, is over 700,000. The development of the business and building features of the city in the year is reported to have exceeded any other like period. An his course within a limited. The provision in the act of 1827 increase of 50 000 in the population is shown over last year.

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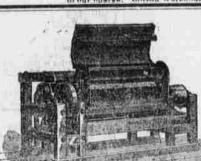
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